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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/108,463	07/01/1998	LANNY JOE MULLENS	GEO4142	2442

7590 06/13/2003

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EXAMINER

NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
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2665

11

DATE MAILED: 06/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/108,463

Applicant(s)

MULLENS ET AL.

Examiner

Toan D Nguyen

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 21-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (U.S. Patent 5,570,366) in view of McCreery et al. (U.S. Patent 5,787,253).

For claims 21-23 and 26-29, Baker et al. disclose broadcast/multicast filtering by the bridge-based access point comprising:

creating the IP packet comprising:

a virtual internet protocol address corresponding to a plurality of physical end nodes served by an access point (figure 3, col. 3 lines 6-13 and col. 8 lines 46-50); and  
a data field comprising:

a destination identification corresponding to one of the physical end nodes of the plurality of physical end nodes, said one of the physical end nodes being a destination for the IP packet (figure 7, col. 9 lines 3-7); and

user data (col. 8 line 49);

communicating the IP packet to a first access point, serving a plurality of physical end nodes, over an RF network including one or more access points, communicatively coupled to one another, wherein at least some of the access points, each serve one or more physical end nodes, via one or more wireless communication links, and one or more of the access points are connected to a wire network (col. 8 lines 51-53 and col. 9 lines 7-10);

transmitting, by the first access point, the IP packet (col. 8 lines 51-53);

However, Baker et al. do not disclose decoding, by the plurality of physical end nodes, the data field of the IP packet. In an analogous art, McCreery et al. disclose decoding, by the plurality of physical end nodes, the data field of the IP packet (figure 8, col. 13 lines 33-35).

One skilled in the art would have recognized an IP packet decoder to use teaching of McCreery et al. in the system of Baker et al. Therefore, it would have been obvious to one of ordinary skill in the art at the time invention, to use the IP packet decoder as taught by McCreery et al. in Baker et al.'s system with the motivation being to provide information such as administrative data regarding the timing and sequence of the packets exchanged between nodes (col. 13 lines 35-42).

For claims 24-25, Baker et al. disclose determining by the plurality of physical end nodes that are not the destination of the packet that the IP packet is not for them (col. 9 lines 7-10).

***Response to Arguments***

4. Applicant's arguments filed on March 31, 2003 have been considered but they are not persuasive.

The applicant argues with respect to claims 21 and 28, that neither reference (Baker et al. nor McCreery et al.) teaches or suggests the inclusion of a destination identification in the data field of the IP packet for use of identifying the destination of the packet. The examiner disagrees. Applicant's attention is directed to Baker et al. patent at col. 9 lines 2-10 and col. 12 lines 7-11 where Baker et al. clearly teaches "Only when the destination IP address exists within the IP table will the access point pass the broadcast frame from the token-ring LAN to the infrared LAN", and "transmitting to said associated wireless network, only those messages which will be responded to by a node on said associated wireless network as determined by comparing said identity and communications parameters in said received message to entries in said table".

Furthermore, applicant's attention is directed to the McCreery et al. patent at col. 8 lines 23-54 where McCreery et al. clearly teaches "the packets may be filtered by a variety of data provided in the data packet profile 500, but, preferably, the raw packet data filter 332 is set to output data packets for which selected nodes are the source or destination."

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

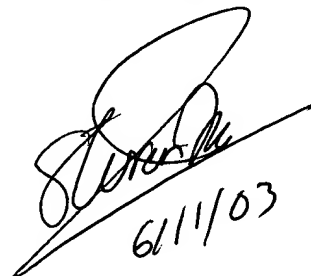
***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D Nguyen whose telephone number is 703-305-0140. The examiner can normally be reached on Monday- Friday (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 703-308-6602. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

TN  
T.N.

A handwritten signature, possibly reading 'T.N.', is written over a horizontal line. Below the signature, the date '6/11/03' is handwritten.